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THE UNITED STATES PATENT AND TRADEMARK OFFICE

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| In re patent application of: |) | |
| |) | Attorney Docket No: 1842-0021 |
| Boyd et al. |) | |
| |) | |
| Application No.: 10/749,640 |) | Examiner: To be assigned |
| |) | |
| Filed: December 31, 2003 |) | |
| |) | Group Art Unit: To be Assigned |
| Title: Dynamic Spinal Stabilization System |) | |
| |) | |

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450 on March 9, 2006

(Date of Deposit)

Michael D. Beck

(Registered Representative)

Michael D. Beck

(Signature)

March 9, 2006

(Date of Signature)

FIFTH INFORMATION DISCLOSURE STATEMENT

Hon. Commissioner of Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

Pursuant to 37 CFR §1.56, Applicants hereby disclose the following references.

U.S. Patent No.

6,986,771

6,989,011

Inventor

Paul et al.

Paul et al.

Issue Date

January 17, 2006

January 24, 2006

It is believed that no fees are due for the consideration of this Information Disclosure Statement. However, the Commissioner is hereby authorized to charge any deficiency or to credit any overpayment to Deposit Account No. 13-0014, but not to include any payment of issue fees.

March 9, 2006

Maginot, Moore & Beck, LLP

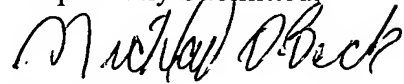
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Respectfully Submitted,



Michael D. Beck

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Registration No. 32,722

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|---|--------------------------------|---------------------------|
|  FORM PTO-1449 INFORMATION DISCLOSURE STATEMENT | ATTY. DOCKET NO.: 1842-0021 | APPLICATION NO. 10749,640 |
| | APPLICANT: Boyd et al. | |
| | FILING DATE: December 31, 2003 | GROUP ART UNIT: 3738 |

U.S. PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB- CLASS | FILING DATE |
|---------------------|----|--------------------|------------------|-------------|-------|---------------|-------------|
| | AA | 6,986,771 | January 17, 2006 | Paul et al. | | | |
| | AB | 6,989,011 | January 24, 2006 | Paul et al. | | | |
| | AC | | | | | | |
| | AD | | | | | | |
| | AE | | | | | | |
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| | AJ | | | | | | |
| | AK | | | | | | |

FOREIGN PATENT DOCUMENTS

| EXAMINER INITIAL | | DOCUMENT NUMBER | DATE | NAME | CLASS | SUB- CLASS | TRANSLATION |
|---------------------|----|--------------------|------|------|-------|---------------|-------------|
| | AL | | | | | | Yes No |
| | AM | | | | | | Yes No |
| | AN | | | | | | Yes No |
| | AO | | | | | | Yes No |
| | AP | | | | | | Yes No |

OTHER (Including Author, Title, Date, Pertinent Pages, etc.)

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| | AQ | <u>1</u> | |
| | AR | <u>1</u> | |
| | AS | <u>1</u> | |

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| EXAMINER | DATE CONSIDERED |
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EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to Applicant.